

60-Day Review Draft

DIRECTOR'S ORDER #7: VOLUNTEERS IN PARKS

Approved: _____
Director, National Park Service

Effective Date:

Sunset Date:

NPS-7, "Volunteers in Parks," (Release No. 3, June 1988) is superseded and replaced by this Director's Order and Reference Manual 7 (RM-7).

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1. Background and Purpose

Volunteering is an American tradition that over the years has made an immeasurable contribution to communities, organizations and individuals throughout the country. Volunteers are vital to the success of the National Park Service (NPS). The Volunteers-in-Parks (VIP) program provides a vehicle through which the NPS can accept and utilize voluntary help and services from the public, in a way that is mutually beneficial to the NPS and the volunteer. Each year more than 120,000 volunteers donate over 4 million hours of service in the national parks. They come from every State and nearly every country in the world to help preserve and protect America's natural and cultural heritage for the enjoyment of this and future generations.

The purpose of this Director's Order is to provide direction to NPS personnel who are responsible for, and/or involved in, implementing the VIP program.

2. Authorities

Authority to issue this Director's Order is contained in the NPS Organic Act (16 USC 1 – 4)¹ and delegations of authority found in Part 245 of the Department of the Interior (DOI) Manual.

The NPS VIP program is authorized by the Volunteers in the Parks Act of 1969 (16 USC 18g – 18j), as amended.

3. Program Administration

3.1 The Associate Director, Park Operations and Education, acting through the Interpretation and Education Division, Washington Office (WASO), will oversee the NPS VIP program, and develop necessary standards and procedures. The Associate Director will issue, and review and revise as appropriate, RM-7, which will provide more detailed procedural guidance on administering the VIP program.

3.2 The Service-wide VIP Coordinator will oversee the NPS VIP program, and is responsible for day-to-day administration.

3.3 The National Volunteer Council, composed of the Service-wide VIP Coordinator, the Program Manager, Interpretation and Education, and the regional VIP coordinators (or their designees), will address pertinent VIP program issues. The Council will meet at least once a year, but may meet more frequently if so requested by the Service-wide VIP Coordinator, who will chair all meetings.

3.4 Regional VIP coordinator duties will be assigned by the regional director, and included in the incumbent's position description. Such duties will include (1) monitoring the region's park VIP programs, and providing assistance as requested; (2) serving as liaison between the parks and WASO; (3) answering all public inquiries regarding the regional program; and (4) others specified in RM-7.

3.5 The superintendent of each park or office (park) that uses VIPs will designate a VIP coordinator, who will be responsible for administering the VIP program at the park level. The park VIP coordinator's duties will be reflected in the incumbent's position description, and will include (1) development of program funding requests and program reports, and submission of same to the regional VIP coordinator; (2) monitoring and recording use of park VIP funds; (3) providing guidance and assistance to park staff supervising VIPs; and (4) such others as are specified in RM-7.

4. Definition

For purposes of this Director's Order, a VIP is anyone who performs work for the NPS under a current, signed volunteer agreement, as evidenced by:

- Agreement for Individual Voluntary Services (NPS Form 10-85); or
- Agreement for Sponsored Voluntary Services (NPS Form 10-86);

and, if the VIP is under 18 years of age –

- Parental Approval Form (NPS Form 10-89).

All forms will designate the VIP's supervisor, and contain an accurate job description.

5. VIP Qualifications

5.1 VIPs will be selected without regard to race, creed, religion, age, sex, sexual orientation, national origin, or disability.

5.2 Individuals convicted of minor crimes who are participating in court-approved probation, work release, or alternative sentencing programs, may serve as VIPs at the discretion of the superintendent; *provided, however*, that no person who has been convicted of any violent crime, crime against persons, or crime involving use of a weapon will be utilized in the NPS VIP program, in any manner whatsoever.

5.3 VIPs will not displace NPS employees.

5.4 VIPs under the age of 18 must have a signed Parental Approval Form (NPS Form 10-89) that includes a detailed job description.

5.5 Cooperating association employees may serve as VIPs when performing tasks normally done by NPS employees. Such volunteers' time will not be counted as VIP hours when their salary costs are reported as aid to the Service on NPS Form 10-40.

5.6 NPS employees and family members may serve as VIPs so long as the duties performed are not in violation of approved DOI ethical standards and/or the Fair Labor Standards Act of 1938, as amended (29 USC 201 – 219).

5.7 Any non-U.S. citizens with legal permanent resident status in the United States may be accepted as VIPs upon providing proof of resident status. All other non-U.S. citizens must meet Department of State/Immigration and Naturalization Service (INS) requirements before participating as a VIP. All non-resident non-U.S. citizens who wish to volunteer for the NPS must enter the country pursuant to a J-1 visa. The INS considers any type of reimbursement, whether it be for housing, meals, or other types of compensa-

tion (e.g., for training), as a form of payment. It is illegal for a person traveling under a normal tourist visa to work for compensation. The J-1 visa allows non-U.S. citizens to train/study in the United States for a limited time while receiving compensation. The J-1 visa application, Form IAP-66, will be issued by the NPS Office of International Affairs.

5.8 It is appropriate to conduct background checks on VIPs who are being considered for sensitive positions, for example, positions that entail supervision of youth, or court-ordered, volunteers.

6. VIP Activities

6.1 A VIP may sell permits and collect recreation fees authorized by the Land and Water Conservation Fund Act of 1965, as amended (16 USC 460l-4 – 460l-11). However, the VIP must be bonded under a surety bond and be adequately trained in the sale of permits and collection of fees.

6.2 A VIP may operate a government vehicle if he/she has a valid State or international driver's license for the class of vehicle being operated, and the operation of the vehicle is required in writing as part of the agreement for voluntary services.

6.3 If a VIP is required to use his/her own personal property or equipment for official purposes and that property is lost, damaged, or destroyed, the VIP may be reimbursed for the loss. See §8, *infra*. A statement that the VIP is required to provide and use such equipment as part of his/her official duties must be included on NPS Form 10-85 or 10-86. Moreover, the form must specifically identify and describe the personal property involved.

7. Funding and Reimbursements

7.1 Appropriated VIP funds may be used only in support of the VIP program.

7.2 A VIP's long-distance travel expenses may be paid at the discretion of the superintendent. See Director's Order #31: Travel Procedures.

7.3 Public Law (PL) 102-154², commonly known as the Department of the Interior and Related Agencies Appropriations Act, 1992, specifically title I, §115, provides permanent authority to use appropriated funds for non-monetary awards of nominal value to volunteers as tokens of appreciation for their contributions to DOI programs.

In a memorandum dated February 3, 1993, the Associate Director for Budget and Administration provided clarification on the definition of the word "nominal" as used in PL 102-154:

The consensus that has been reached regarding the definition of “nominal” is that in most cases, awards should stay within the limit of approximately \$100. This does not mean that the volunteer who contributes an unusual number of hours and/or substantially benefits the Service should not be given something beyond the \$100 value. Using good judgment and providing proper justification and documentation should allow for the flexibility needed to ensure an effective and successful volunteer program.

7.4 PL 102-154, specifically title I, section 116, also provides permanent authority to use any appropriated funds to defray costs incidental to utilization of VIP services.

8. Benefits and Protection/Risk Management

8.1 VIPs will be treated as Federal employees for the purposes of (1) compensation for work-related injuries (see 5 USC 8101(1)(B) and 16 USC 18i(c)); (2) immunity from liability pursuant to the Federal Tort Claims Act (see 28 USC 2671 and 16 USC 18i(b)); and (3) claims for damage to or loss of personal property incident to service (see 31 USC 3721 and 16 USC 18i(d)).

In order to receive the benefits and protection outlined above, VIPs must accurately complete NPS Form 10-85 or 10-86, and, if the VIP is under 18 years of age, Form 10-89.

8.2 A VIP must not engage in any work which he/she

- is not qualified to perform;
- has not been adequately trained to do;
- does not feel comfortable doing; or
- does not willingly agree to do.

8.3 VIPs will be provided with all personal protective equipment and appropriate training required by Occupational Safety and Health Administration regulations for their respective work environments.

8.4 VIPs will not participate in any hazardous duties, law enforcement work, or policymaking processes.

9. Equal Employment Opportunity

VIPs are not eligible for formal counseling by Equal Employment Opportunity (EEO) counselors assigned to parks; however, these counselors may offer assistance in resolving potential complaints. VIPs who feel they have been discriminated against should contact the park or region's EEO counselor, or the nearest district office of the Equal Employment

Opportunity Commission. Complaints must be filed within 30 days of the latest incident of discrimination.

10. Uniforms

VIPs must be readily identifiable as such, in a manner appropriate for their duties. VIPs must not wear any part of the official NPS uniform or be dressed in a manner that attempts to duplicate its appearance. See Director's Order #43: Uniform Program, §§5.1.1 and 5.1.3.

11. VIP Housing

11.1 VIPs may be lodged in government housing as authorized by the Volunteers in the Parks Act of 1969, when such housing is not needed for paid employees.

11.2 A VIP must work 30 hours per week or more to be *eligible* for housing or trailer pads. Housing or trailer pads will be assigned in such fashion as will best meet the needs of the park. Volunteers will not be charged rent or utility costs for such housing. Funds appropriated for the VIP program are specifically earmarked to be used to reimburse volunteers for out-of-pocket expenses incurred as a direct result of their volunteer activities, local transportation, meals, uniforms and special clothing, lodging, etc., and are not intended to be used to pay rent. Rent and utilities will be paid for VIPs by the parks, as an incidental service that supports a park program. The superintendent will determine which park office or benefiting account will reimburse the park housing income account for the full rent and utilities.

11.3 Any excessive cleaning costs and/or damages resulting from a VIP's tenancy will be billed directly to the VIP on a bill of collection. If the VIP is non-compliant, such costs or damages will be charged to the benefiting account. Any destruction, loss of, or injury to a park system resource resulting from a VIP's tenancy of NPS housing is actionable pursuant to the National Park System Resource Protection Act (16 USC 19jj – 19jj-4).

12. Reports and Records

12.1 The following official VIP forms will be kept on file for three (3) years after the volunteer's termination date.

- Form 10-85 or 10-86;
- Form 10-89; and
- Form 10-67 (Claim for Reimbursement for Volunteer Expenses) if the VIP claimed reimbursement for out-of-pocket expenses.

12.2 Park VIP coordinators will use the web-based VIP Reporting System, located at <<http://www.nps.gov/volunteer/manage.htm>>, to submit their annual VIP statistics to WASO.

12.3 Park VIP coordinators will maintain an accurate and current records system in accordance with Office of Personnel Management standards, and Director's Order #19: Records Management.

12.4 The Service-wide VIP Coordinator will produce an Annual VIP Report based on the information submitted by all park VIP coordinators.

13. Recruitment

13.1 The Service-wide VIP Coordinator will maintain a national VIP recruitment program with specific job announcements for VIP positions posted on the NPS Volunteer Opportunity System, at < <http://www.nps.gov/volunteer/index.htm>>.

13.2 Each superintendent will ensure that public inquiries regarding volunteer opportunities are responded to in a timely manner.

14. VIP Orientation and Training

Each VIP will receive appropriate orientation and job training.

15. Supervisory Training

15.1 Periodic supervisory training in volunteer program management will be provided by WASO or the appropriate regional training team.

15.2 Anyone supervising VIPs is eligible for supervisory training. Supervisory training is mandatory for those supervising VIPs equivalent to three or more full-time NPS employees.

15.3 Training will be provided annually for VIP coordinators.

16. Termination of Volunteer Agreement

A VIP or the NPS may terminate an agreement for voluntary services at any time, without cause, by so notifying the other party. The park VIP coordinator will note such termination on Form 10-85 or 10-86.

—— End of Director's Order ——

¹ The United States Code (USC) may be accessed on the Internet, e.g., at <<http://www4.law.cornell.edu/uscode/>>.

² Public Laws enacted by the 101st or a later Congress (1989 onward) may be accessed at the Library of Congress's THOMAS website, at <<http://thomas.loc.gov/>>.